IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 6110 of 2003

Between:

N.Balakotaiah, s/o.N.Yakobu,

Hindu, aged about 50 years,

R/o.Sajjavaripalem vill. & post,

Nagaram Mandal, Guntur District.

..... PETITIONER

AND

1. The Dy. Executive Engineer,

Dist.Sch.Castes Service coop.Society Ltd.,Guntur, Guntur District.

2. The Dy.Executive engineer,

Dist.Sch.Castes Services coop.society Ltd.,

Sub division, Guntur, Guntur District.

3. K.V.Govinda Rao, B.E., s/o.Not known,

Hindu, aged about 55yrs,

Dy.Executive Engineer,

Dist.Sch.Castes Services Coop.societies Ltd.,

Guntur District.

4. The Assistant Engineer,

Dist.Sch.Castes Service coop.societies Ltd.,

Guntur Sub division, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not releasing bill amount as per agreement and technical sanction for completion of the Community Hall at Nagaram village and Mandal, Guntur district inspite of completion of the work duly recording items 1 to 10 in measurement book is illegal, arbitrary and violative of Article 14 and 21 of the Constitution of India and consequently direct the Respondents to release the entire bill amount including the compensation for delayed payment with interest mulcting responsibility on the Respondents 2 and 3 and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.M.NAIDU

Counsel for the Respondents 1,2 and 4: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent No.3: None appeared.

The Court made the following :

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ORDER:

Heard both sides and at their request, the main writ petition is taken up for disposal.

The relief sought for in the W.P.M.P.No.8001 of 2003 and the writ petition runs on the same line. It is represented that the petitioner has already filed representation before the respondents for realization of the amounts and the same is still pending.

In view of the above, without going into the merits of the case, the writ petition is disposed of directing the second respondent to consider the representation of the petitioner and pass orders within four weeks from the date of the receipt of the copy of this order.

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19-07-2004

stv/**vs**

To

1. The Executive Engineer,

Dist.Sch.Castes Service coop.Society Ltd.,Guntur, Guntur District.

2. The Dy.Executive engineer,

Dist.Sch.Castes Services coop.society Ltd.,

Sub division, Guntur, Guntur District.

3. The Assistant Engineer,

Dist.Sch.Castes Service coop.societies Ltd.,

Guntur Sub division, Guntur District.

4. Two CD copies.